



General Assembly

**Substitute Bill No. 5031**

February Session, 2004

\* \_\_\_\_\_HB05031FIN\_\_\_\_032904\_\_\_\_\_\*

**AN ACT REVISING CERTAIN LAWS OF THE DEPARTMENT OF  
TRANSPORTATION.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (h) of section 13a-73 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective July*  
3 *1, 2004*):

4 (h) All sales or exchanges of surplus property by the Department of  
5 Transportation and matters dealing with the initial acquisition of any  
6 existing mass transit system or the purchase or sale of properties  
7 acquired in connection with any state highway system or mass transit  
8 system shall be subject to review and approval of the State Properties  
9 Review Board except that those acquisitions and administrative  
10 settlements relating to such properties which involve sums not in  
11 excess of [one] five thousand dollars shall be reported to the board by  
12 the Commissioner of Transportation but shall not be subject to such  
13 review and approval. The Commissioner of Public Works shall be  
14 informed for inventory purposes of any transfer effectuated in  
15 connection with this section. The State Properties Review Board shall  
16 not grant such approval if the Department of Transportation has failed  
17 to comply with any applicable statutes in connection with the  
18 proposed action.

19 Sec. 2. Section 4 of public act 03-115 is repealed and the following is

20 substituted in lieu thereof (*Effective from passage*):

21 Bridge number 007773, commonly known as the West Rock Tunnel  
22 in New Haven shall be designated the ["Hero's"] "Heroes Tunnel".

23 Sec. 3. Section 7 of public act 03-115 is repealed and the following is  
24 substituted in lieu thereof (*Effective from passage*):

25 A segment of Route 349 in Groton shall be [redesignated]  
26 designated as the "William J. Snyder, Sr. Memorial Highway".

27 Sec. 4. Section 84 of public act 03-115 is repealed and the following is  
28 substituted in lieu thereof (*Effective from passage*):

29 Bridge number [3485] 1743A located in the town of West Hartford  
30 on Interstate 84 overpassing [Woodruff Road] SR 535 shall be  
31 designated the "Patrick L. Brooks Memorial Bridge".

32 Sec. 5. Section 89 of public act 03-115 is repealed and the following is  
33 substituted in lieu thereof (*Effective from passage*):

34 Route 173 in the town of West Hartford from SR 529 northerly to the  
35 junction [for Route 4] of Route 71 in the Town of West Hartford shall  
36 be designated the "Trooper Carl P. Moller Memorial Highway".

37 Sec. 6. Section 13b-200 of the general statutes is repealed and the  
38 following is substituted in lieu thereof (*Effective from passage*):

39 (a) The Commissioner of Transportation shall, at the commissioner's  
40 discretion, examine the several railroads in the state [once in each year,  
41 and more often] when he deems that public safety so requires, and  
42 shall make a like examination of any railroad within the limits of any  
43 town, when so requested in writing by the selectmen of such town or  
44 by the authorities having control and supervision of the streets and  
45 highways within the town, and shall see that such railroads are kept in  
46 suitable repair and that the companies operating them faithfully  
47 comply with all provisions of law. The employees of the Department  
48 of Transportation shall have the right to pass free of charge, in the

49 performance of their duties, on all railroads in the state.

50 (b) The commissioner or his employees may enter [, at times of  
51 emergency,] any building, car or other premises owned or controlled  
52 by any railroad company. Any person interfering with an employee of  
53 the Department of Transportation in the performance of his duties  
54 shall be fined not more than two hundred dollars or imprisoned not  
55 more than six months or both.

56 Sec. 7. Subsection (a) of section 13a-252 of the general statutes, as  
57 amended by section 40 of public act 03-3 of the June 30 special session,  
58 section 210 of public act 03-6 of the June 30 special session and section  
59 8 of public act 03-1 of the September 8 special session, is repealed and  
60 the following is substituted in lieu thereof (*Effective from passage*):

61 (a) The ferries crossing the Connecticut River, known as the Rocky  
62 Hill ferry and the Chester and Hadlyme ferry, shall be maintained and  
63 operated by the Commissioner of Transportation at the expense of the  
64 state. The rates of toll or the charges to be made for travel upon said  
65 ferries shall be fixed by the commissioner with the approval of the  
66 Secretary of the Office of Policy and Management. [, except that, after  
67 August 20, 2003, the rate of toll or charge shall be (1) for a motor  
68 vehicle and operator five dollars, (2) for each additional passenger one  
69 dollar and seventy-five cents, and (3) for each walk-on and bicycle one  
70 dollar and seventy-five cents.] The commissioner may establish a  
71 discounted commuter rate for travel upon said ferries.

72 Sec. 8. Subsection (a) of section 14-262 of the general statutes is  
73 repealed and the following is substituted in lieu thereof (*Effective*  
74 *October 1, 2004*):

75 (a) The following vehicles shall not be operated upon any highway  
76 or bridge without a special written permit from the Commissioner of  
77 Transportation, as provided in section 14-270, as amended by this act,  
78 specifying the conditions under which they may be so operated:

79 (1) A vehicle, combination of vehicle and trailer or commercial

80 vehicle combination, including each such vehicle's load, which is  
81 wider than one hundred two inches or its approximate metric  
82 equivalent of two and six-tenths meters or one hundred two and  
83 thirty-six-hundredths inches, including its load, but not including the  
84 following safety devices: Reasonably sized rear view mirrors, turn  
85 signals, steps and handholds for entry and egress, spray and splash  
86 suppressant devices, load-induced tire bulge and any other state-  
87 approved safety device which the Commissioner of Transportation  
88 determines is necessary for the safe and efficient operation of such a  
89 vehicle or combination, provided no such state-approved safety device  
90 protrudes more than three inches from each side of the vehicle or  
91 provided no such device has by its design or use the capability to carry  
92 cargo. Such permit shall not be required in the case of (A) farm  
93 equipment, (B) a vehicle or combination of vehicle and trailer loaded  
94 with hay or straw, (C) a school bus equipped with a folding stop sign  
95 or exterior mirror, as approved by the Commissioner of Motor  
96 Vehicles, which results in a combined width of bus and sign or bus  
97 and mirror in excess of that established by this subsection, or (D) a  
98 trailer designed and used exclusively for transporting boats when the  
99 gross weight of such boats does not exceed four thousand pounds; and

100 (2) A combination of truck and trailer which is longer than [sixty]  
101 sixty-five feet except (A) a combination of truck and trailer or tractor  
102 and semitrailer loaded with utility poles, both trailer and semitrailer  
103 having a maximum length of forty-eight feet, utility poles having a  
104 maximum length of fifty feet and the overall length not to exceed  
105 eighty feet, (B) a trailer designed and used exclusively for transporting  
106 boats when the gross weight of such boats does not exceed four  
107 thousand pounds, (C) a tractor-trailer unit, (D) a commercial vehicle  
108 combination, (E) combinations of vehicles considered as specialized  
109 equipment in [the Code of Federal Regulations, Title 23, Part 658.13(d)]  
110 23 CFR 658.13(e), as amended, or (F) a tractor equipped with a  
111 dromedary box operated in combination with a semitrailer which  
112 tractor and semitrailer do not exceed seventy-five feet in overall  
113 length.

114 Sec. 9. Subsection (d) of section 14-270 of the general statutes is  
115 repealed and the following is substituted in lieu thereof (*Effective*  
116 *October 1, 2004*):

117 (d) (1) The owner or lessee of any vehicle may pay either a fee of  
118 twenty-three dollars for each permit issued for such vehicle under this  
119 section or a fee as described in subdivision (3) for such vehicle, payable  
120 to the Department of Transportation. (2) An additional transmittal fee  
121 of three dollars shall be charged for each permit issued under this  
122 section and transmitted via transceiver or facsimile equipment. (3) The  
123 commissioner may issue an annual permit for any vehicle transporting  
124 (A) a divisible load, (B) an overweight or oversized-overweight  
125 indivisible load, or (C) an oversize indivisible load. The owner or  
126 lessee shall pay an annual fee of seven dollars per thousand pounds or  
127 fraction thereof for each such vehicle. A permit may be issued in any  
128 increment up to one year, provided the owner or lessee shall pay a fee  
129 of one-tenth of the annual fee for such vehicle for each month or  
130 fraction thereof. (4) The annual permit fee for any vehicle transporting  
131 an oversize indivisible load shall not be less than five hundred dollars.  
132 (5) The commissioner may issue permits for divisible loads in the  
133 aggregate not exceeding fifty-three feet in length.

134 Sec. 10. Section 13a-57 of the general statutes, as amended by section  
135 27 of public act 03-115, is repealed and the following is substituted in  
136 lieu thereof (*Effective from passage*):

137 The commissioner may lay out any road as a state highway either  
138 by using existing highways or by acquiring by purchase or  
139 condemnation new rights-of-way. The layout shall be made in the  
140 following manner: The commissioner shall develop a map or maps of  
141 the layout of a state highway by ground survey or aerial  
142 photogrammetric methods. Such map or maps shall show the limits of  
143 the right-of-way, all existing roads, buildings [,] and fences and other  
144 topographic features which will clearly establish the location of the  
145 highway. The commissioner shall file in the town clerk's office in each  
146 town in which such layout or portion thereof is established a map

147 showing such portions of such layout within the limits of any such  
 148 town in which such map is filed. When such maps of any section or  
 149 sections of such highway have been so filed, the commissioner shall  
 150 cause a notice to be inserted in a newspaper having a general  
 151 circulation within each of such towns describing the action of the  
 152 commissioner concerning the layout of such highway. When such  
 153 maps have been placed on file and such notice given, such portion or  
 154 section shall be deemed to have been legally laid out as a state  
 155 highway and all provisions of the general statutes relating to state  
 156 highways shall apply to such layout or highway. This section shall not  
 157 affect the authority of the commissioner to relocate any section of any  
 158 state highway as provided in section 13a-56.

159 Sec. 11. Section 13b-55 of the general statutes, as amended by section  
 160 55 of public act 03-115, is repealed and the following is substituted in  
 161 lieu thereof (*Effective from passage*):

162 The commissioner may sell and convey any land, right in land,  
 163 riparian right or other property or right in property, of whatever kind,  
 164 that the commissioner may acquire pursuant to section 13b-53, which  
 165 is in excess of the quantity required for the purpose for which it was  
 166 acquired, and [to] may execute and deliver appropriate conveyances of  
 167 such property in behalf of the state. No such sale or conveyance shall  
 168 be made without the prior consent of the Secretary of the Office of  
 169 Policy and Management and the Commissioner of Public Works and  
 170 the State Properties Review Board.

171 Sec. 12. Subdivision (4) of section 13b-57d of the general statutes, as  
 172 amended by section 1 of public act 03-4 of the June 30 special session,  
 173 is repealed and the following is substituted in lieu thereof (*Effective*  
 174 *from passage*):

175 (4) "Strategy" means the transportation projects and supporting  
 176 documentation contained in the report dated January, 2003, submitted  
 177 by the board in accordance with subdivision (3) of subsection (k) of  
 178 section 13b-57g, as amended, and any updates or revisions to such

179 transportation projects.

180 Sec. 13. Subsection (b) of section 3 of public act 03-4 of the June 30  
181 special session is repealed and the following is substituted in lieu  
182 thereof (*Effective from passage*):

183 (b) The following TSB projects shall be completed:

184 (1) In the Coastal Corridor TIA, as defined in section 13b-57d, as  
185 amended:

186 (A) Acquire rolling rail stock, as deemed appropriate by the board,  
187 sufficient to add no fewer than two thousand seats for the Metro  
188 North-New Haven Line for use in both interstate and intrastate  
189 service. All payments received by the state pursuant to any agreement  
190 entered into in accordance with subsection (h) of section 13b-34  
191 involving rolling rail stock used on the Metro North-New Haven Line  
192 shall be used exclusively for refurbishing rolling rail stock on and  
193 other capital improvements to the Metro North-New Haven Line;

194 (B) Construct or expand stations at Bridgeport, New Haven and  
195 Stamford that can accommodate rail service and one or more other  
196 modes of transportation and have:

197 (i) Facilities for one thousand or more parking spaces;

198 (ii) Connections to bus and other transit systems;

199 (iii) Opportunity for community revitalization;

200 (iv) Opportunity for transit oriented development;

201 (v) Ease of auto, bus, bicycle and pedestrian access to the station  
202 facility;

203 (vi) Potential to attract sufficient riders to support additional  
204 express trains;

205 (vii) Operation under control of the state; and

206 (viii) Feeder bus services for passenger rail service;

207 (C) Facilitate use of the Long Island Sound Waterway for passenger  
208 and freight movement, including, but not limited to, bulkheading and  
209 dredging, upon removal of prohibitions imposed by federal law,  
210 expanding passenger facilities, including facilities at the Bridgeport  
211 Intermodal Facility, to support high speed ferry service; and

212 (2) In the I-84 Corridor TIA, as defined in section 13b-57d, as  
213 amended:

214 (A) Establish express bus services from New Haven to Bradley  
215 International Airport;

216 (B) Complete the New Britain to Hartford busway and establish  
217 other bus rapid transit or light rail service in Hartford and  
218 surrounding towns; and

219 (C) Expand rail passenger service on the Norwalk to Danbury-New  
220 Milford Branch Line to assist commuter movement on Route 7 and I-  
221 95; [.] and

222 (3) In the I-91 Corridor TIA, as defined in section 13b-57d, as  
223 amended:

224 (A) Upgrade or construct maintenance facilities and parking  
225 facilities and upgrade feeder bus services for passenger rail service,  
226 particularly along the Metro North-New Haven Line; and

227 (B) Establish bus service or commuter rail service, as determined in  
228 the Hartford-Springfield-New Haven Implementation Study  
229 conducted by the department, that runs through New Haven, Hartford  
230 and Springfield, with a connection to Bradley International Airport; [.]  
231 and

232 (4) In the I-395 Corridor TIA, as defined in section 13b-57d, as  
233 amended:



234 (A) Establish rail freight service with connections to the port of New  
235 London;

236 (B) Expand the frequency of bus service, number of runs and  
237 connections within and outside of the region, particularly in and to  
238 Norwich and New London and acquire buses sufficient to add no  
239 fewer than two hundred seats; and

240 (C) Design and plan for traffic mitigation in southeastern  
241 Connecticut, including planning for the extension of Route 11 from its  
242 terminus in Salem to the I-95 and I-395 intersect, with appropriate  
243 greenway purchases made in accordance with section 13a-142e; [.] and

244 (5) In the Southeast Corridor TIA, as defined in section 13b-57d, as  
245 amended:

246 (A) Acquire rolling rail stock for the Shoreline East Railroad Line  
247 sufficient to add no fewer than one thousand seats;

248 (B) Make operational improvements to highways that improve the  
249 flow of traffic on I-95 and I-395; and

250 (6) State-wide:

251 (A) Improve and target marketing by the department of the Deduct-  
252 a-Ride program to all eligible employers; and

253 (B) Continue funding the Jobs Access Program.

254 Sec. 14. Section 15 of public act 03-4 of the June 30 special session is  
255 repealed and the following is substituted in lieu thereof (*Effective from*  
256 *passage*):

257 There [is] are hereby authorized bonds and bond anticipation notes  
258 to be issued under and in accordance with the provisions of sections  
259 13b-74 to 13b-77, inclusive, as amended, for the purposes of funding of  
260 the projects and purposes described in section 3 of [this act] public act  
261 03-4 of the June 30 special session, as amended by this act, as those

262 projects and purposes may be modified, including, but not limited to,  
 263 the costs of issuance and required reserves which authorizations shall  
 264 not exceed the following aggregate amounts:

T1	Authorized Funding Amounts	
T2	Fiscal Year	Amount
T3	2004	\$ 32,423,000
T4	2005	\$ 35,125,000
T5	2006	\$ 32,526,000
T6	2007	\$ 26,528,000
T7	2008	\$ 25,530,000
T8	2009	\$ 25,532,000
T9	2010	\$ 23,533,000
T10	2011	\$ 22,535,000
T11	2012	\$ 21,537,000
T12	2013	\$ 20,538,000
T13	Total	\$264,807,000

265 Such projects and purposes shall be funded by the use of any federal  
 266 revenue, grants or other transportation related financial assistance  
 267 which may be available, the issuance of special tax obligation bonds, as  
 268 more particularly described in sections 13b-74 to 13b-77, inclusive, as  
 269 amended, and, where appropriate, cash from incremental revenues.  
 270 Not more than one million dollars of such amounts may be made  
 271 available to fund the operations of the Transportation Strategy Board  
 272 for fiscal years ending June 30, 2004, and June 30, 2005.

273 Sec. 15. Subdivision (6) of subsection (b) of section 13b-74 of the  
 274 general statutes, as amended by section 18 of public act 03-4 of the June  
 275 30 special session, is repealed and the following is substituted in lieu  
 276 thereof (*Effective from passage*):

277 (6) Planning, acquisition, removal, construction, equipping,  
 278 reconstruction, repair, rehabilitation and improvement of, and

279 acquisition of easements and rights-of-way with respect to, projects  
 280 and purposes included in section 3 of [this act] public act 03-4 of the  
 281 June 30 special session, as amended by this act, which have been  
 282 approved for financing with special tax obligation bonds or notes as  
 283 provided in the annual financing plan of [such board] the  
 284 Transportation Strategy Board, as described in section 17 of [this act]  
 285 public act 03-4 of the June 30 special session, as well as related  
 286 financing costs, including, without limitation, costs of issuance and  
 287 required reserves.

288 Sec. 16. Subsection (e) of section 13b-103 of the general statutes, as  
 289 amended by section 90 of public act 03-115, is repealed and the  
 290 following is substituted in lieu thereof (*Effective from passage*):

291 (e) Any person [, other than an operator who has received a permit,]  
 292 who holds him or herself out to be the operator of a motor vehicle in  
 293 livery service who has not received a permit under this section or with  
 294 the intent to [obtain a benefit or to] injure or defraud another shall be  
 295 guilty of a class B misdemeanor.

296 Sec. 17. Subparagraph (A) of subdivision (2) of subsection (f) of  
 297 section 14-10 of the general statutes, as amended by section 7 of public  
 298 act 03-265, is repealed and the following is substituted in lieu thereof  
 299 (*Effective from passage*):

300 (A) In connection with matters of motor vehicle or driver safety and  
 301 theft, motor vehicle emissions, motor vehicle product alterations,  
 302 recalls or advisories, performance monitoring of motor vehicles and  
 303 dealers by motor vehicle manufacturers and removal of nonowner  
 304 records from the original owner records of motor vehicle  
 305 manufacturers to implement the provisions of the federal Automobile  
 306 Information Disclosure Act, 15 USC 1231 et seq., the Clean Air Act, 42  
 307 USC 7401 et seq., and 49 USC Chapters 301, 305 and 321 to 331,  
 308 inclusive, as amended from time to time, and any provision of the  
 309 general statutes enacted to attain compliance with said federal [acts]  
 310 provisions.

311 Sec. 18. Subsection (g) of section 14-16c of the general statutes, as  
312 amended by section 8 of public act 03-265, is repealed and the  
313 following is substituted in lieu thereof (*Effective from passage*):

314 (g) The Commissioner of Motor Vehicles shall adopt regulations, in  
315 accordance with the provisions of chapter 54, to implement the  
316 provisions of this section.

317 Sec. 19. Section 14-40a of the general statutes, as amended by section  
318 4 of public act 03-171, is repealed and the following is substituted in  
319 lieu thereof (*Effective from passage*):

320 (a) No person shall operate a motorcycle on any public highway of  
321 this state until such person has obtained a motor vehicle operator's  
322 license with a motorcycle endorsement from the commissioner.

323 (b) A person who is sixteen years of age or older and who has not  
324 had such a license suspended or revoked may apply to the  
325 commissioner for a training permit. The commissioner may issue a  
326 training permit, containing such limitation as [he] said commissioner  
327 deems advisable, to an applicant after the applicant has passed all  
328 parts of the examination, other than the driving test, for a motor  
329 vehicle operator's license with a motorcycle endorsement as required  
330 by subsection [(e)] (c) of this section. The training permit shall entitle  
331 the applicant, while [he has the permit in his] said applicant is in  
332 immediate possession of said permit, to drive a motorcycle on the  
333 public highways, other than multiple lane limited access highways, for  
334 a period of sixty days. A training permit may be renewed, or a new  
335 permit issued, for an additional period of sixty days. On and after  
336 January 1, 1990, each applicant issued a training permit shall, while  
337 operating a motorcycle, wear protective headgear of a type which  
338 conforms to the minimum specifications established by regulations  
339 adopted under subsection (b) of section 14-289g.

340 [(b)] (c) Before granting a motorcycle endorsement to any applicant  
341 who has not held such an endorsement at any time within the  
342 preceding two years, the commissioner shall require the applicant to

343 demonstrate personally to the commissioner, a deputy or a motor  
344 vehicle inspector or an agent of the commissioner, in such manner as  
345 the commissioner directs, that the applicant is a proper person to  
346 operate a motorcycle, has sufficient knowledge of the mechanism of a  
347 motorcycle to ensure its safe operation by such applicant, and has  
348 satisfactory knowledge of the law concerning motorcycles and other  
349 motor vehicles [.] and the rules of the road. On and after January 1,  
350 1990, an applicant under the age of eighteen shall also demonstrate  
351 that such applicant has successfully completed a novice motorcycle  
352 training course offered by the Department of Transportation or  
353 approved by the Commissioner of Motor Vehicles. If an applicant has  
354 had a license or held such an endorsement from a state where a similar  
355 examination or course is required, the commissioner may waive part  
356 or all of any such requirement. When the commissioner is satisfied as  
357 to the ability and competency of the applicant, the commissioner may  
358 issue an endorsement to such applicant, either unlimited or containing  
359 such limitations as the commissioner deems advisable. If an applicant  
360 or motorcycle endorsement holder has any health problem which  
361 might affect such person's ability to operate a motorcycle safely, the  
362 commissioner may require the applicant or endorsement holder to  
363 demonstrate personally that, notwithstanding the problem, such  
364 person is a proper person to operate a motorcycle, and the  
365 commissioner may further require a certificate of the applicant's  
366 condition, signed by a medical authority designated by the  
367 commissioner, which certificate shall, in all cases, be treated as  
368 confidential by the commissioner. An endorsement, containing such  
369 limitation as the commissioner deems advisable may be issued or  
370 renewed in any case, but nothing in this section shall be construed to  
371 prevent the commissioner from refusing an endorsement, either  
372 limited or unlimited, to any person or suspending an endorsement of a  
373 person whom the commissioner deems incapable of safely operating a  
374 motorcycle.

375       [(c)] (d) No person shall operate a motorcycle in any manner in  
376 violation of the limitations imposed in a limited endorsement issued to

377 such person.

378 [(d)] (e) Any person who violates any provision of subsection (a), (b)  
 379 or [(c)] (d) of this section shall, for a first offense, be deemed to have  
 380 committed an infraction and be fined not less than thirty-five dollars  
 381 nor more than fifty dollars and, for any subsequent offense, shall be  
 382 fined not more than one hundred dollars or imprisoned not more than  
 383 thirty days, or both.

384 Sec. 20. Subsection (v) of section 14-49 of the general statutes, as  
 385 amended by section 21 of public act 03-4 of the June 30 special session,  
 386 is repealed and the following is substituted in lieu thereof (*Effective*  
 387 *from passage*):

388 (v) There shall be charged for each motor vehicle learner's permit or  
 389 renewal thereof a fee of eighteen dollars. There shall be charged for  
 390 each motorcycle [learner's] training permit or renewal thereof a fee of  
 391 fifteen dollars.

392 Sec. 21. Section 14-69 of the general statutes, as amended by section  
 393 10 of public act 03-265, is repealed and the following is substituted in  
 394 lieu thereof (*Effective from passage*):

395 No person shall engage in the business of conducting a drivers'  
 396 school without being licensed therefor by the commissioner.  
 397 Application therefor shall be in writing and shall contain such  
 398 information as the commissioner requires. Each applicant shall be  
 399 fingerprinted before such application is approved. If the application is  
 400 approved, the applicant shall be granted a license upon the payment of  
 401 a fee of [one hundred] three hundred fifty dollars and a deposit with  
 402 the commissioner of cash or a bond of a surety company authorized to  
 403 do business in this state, conditioned on the faithful performance by  
 404 the applicant of any contract to furnish instruction, in either case in  
 405 such amount as the commissioner may require, such cash or bond to  
 406 be held by the commissioner to satisfy any execution issued against  
 407 such school in a cause arising out of failure of such school to perform  
 408 such contract. [The license fee shall be three hundred fifty dollars.] For

409 each additional place of business of such school, the commissioner  
410 shall charge a fee of eighty-eight dollars. No license shall be required  
411 in the case of any board of education, or any public, private or  
412 parochial school, which conducts a course in driver education  
413 established in accordance with sections 14-36e and 14-36f. A license so  
414 issued shall be valid during the calendar year. The annual fee for  
415 renewal shall be the same amount and the same deposit of security  
416 shall be required. The commissioner shall issue a license certificate or  
417 certificates to each licensee, one of which shall be displayed in each  
418 place of business of the licensee. In case of the loss, mutilation or  
419 destruction of a certificate, the commissioner shall issue a duplicate  
420 upon proof of the facts and the payment of a fee of [two dollars. Such  
421 fee shall be] seven dollars.

422       Sec. 22. (NEW) (*Effective July 1, 2004*) (a) There shall be in the  
423 Department of Transportation a Connecticut Maritime Commission  
424 which shall consist of fifteen members, as follows: (1) The  
425 Commissioners of Transportation, Economic and Community  
426 Development and Environmental Protection, the Secretary of the  
427 Office of Policy and Management and the chairman of the  
428 Transportation Strategy Board, established pursuant to section 13b-57e  
429 of the general statutes, as amended, or their respective designees; (2)  
430 four members appointed by the Governor; and (3) one member each  
431 appointed by the president pro tempore of the Senate, the speaker of  
432 the House of Representatives, the majority leader of the Senate, the  
433 minority leader of the Senate, the majority leader of the House of  
434 Representatives and the minority leader of the House of  
435 Representatives. All appointed members shall serve for terms  
436 coterminous with their appointing authority and until their successor  
437 is appointed and has qualified. Vacancies on said commission shall be  
438 filled for the remainder of the term in the same manner as original  
439 appointments.

440       (b) Appointed members of the commission shall be qualified by  
441 experience or training and shall include members of the public and (1)  
442 a representative of business and industry that is a regular user of

443 Connecticut port freight services; (2) a member or employee of a local  
444 port authority, (3) a Connecticut port operator; (4) an operator of a  
445 marine passenger service; (5) an elected or appointed official from a  
446 coastal community; (6) a user or provider of recreational maritime  
447 services; and (7) a working member of a port labor union.

448 (c) The chairman shall be selected by the Governor from among the  
449 appointed members of the commission. The members shall annually  
450 elect one of their numbers as secretary. The commission may elect such  
451 other officers as it deems proper. Members shall receive no  
452 compensation for the performance of their duties, but shall be  
453 reimbursed for necessary expenses incurred in the performance  
454 thereof.

455 (d) The commission shall (1) advise the Commissioner of  
456 Transportation, the Governor and the General Assembly concerning  
457 the state's maritime policy and operations; (2) develop and  
458 recommend to the Governor and the General Assembly a maritime  
459 policy for the state; (3) support the development of Connecticut's  
460 maritime commerce and industries, including its deep water ports; (4)  
461 recommend investments and actions, including dredging, required in  
462 order to preserve and enhanced maritime commerce and industries; (5)  
463 conduct studies and present recommendations concerning maritime  
464 issues; (6) support the development of Connecticut's ports, including;  
465 identifying new opportunities for the ports, analyzing the potential for  
466 and encouraging private investment in the ports and recommending  
467 policies which support port operations.

468 (e) At least once each year, the commission shall hold a public  
469 hearing for the purpose of evaluating the adequacy of the state's  
470 maritime policy, facilities and support for maritime commerce and  
471 industry.

472 (f) On or before January first, annually, the commission shall  
473 submit, in writing, to the Commissioner of Transportation, the  
474 Governor and the Transportation Strategy Board (1) a list of projects



475 which, if undertaken by the state, would support the state's maritime  
476 policy and encourage maritime commerce and industry; (2)  
477 recommendations for improvements to existing maritime policies,  
478 programs and facilities; and (3) such other recommendations as it  
479 considers appropriate. Copies of the report shall be submitted to the  
480 General Assembly pursuant to section 11-4a of the general statutes.

481 (g) The commission may, upon its own motion, undertake any  
482 studies it deems necessary for the improvement of a balanced public  
483 transportation system within the state, including the improvement of  
484 such system for elderly and disabled users. The commission shall have  
485 other powers and shall perform such other duties as the Commissioner  
486 of Transportation, the Governor and the General Assembly may  
487 delegate to it.

488 (h) The staff of the Department of Transportation shall be available  
489 to assist the commission.

490 (i) No member of the commission who is otherwise a public officer  
491 or employee shall suffer a forfeiture of his or her office or employment,  
492 or any loss or diminution in the rights and privileges pertaining  
493 thereto, by reason of such membership.

494 (j) A quorum of the commission for the purpose of transacting  
495 business shall exist only when there is present, in person, a majority of  
496 its voting membership. The affirmative vote of a majority of the  
497 quorum shall be required for the adoption of a resolution or vote of the  
498 commission.

499 (k) The commission shall have access through the Department of  
500 Transportation to all records, reports, plans, schedules, operating rules  
501 and other documents pertaining to ports and navigable waterways of  
502 Connecticut. This subsection shall not apply to any plans, proposals,  
503 reports and other documents pertaining to current or pending  
504 negotiations with employee bargaining units.

505 (l) The Connecticut Maritime Commission shall be a successor

506 agency to the Connecticut Port Authority in accordance with the  
507 provisions of sections 4-38d and 4-39 of the general statutes.

508 (m) The Legislative Commissioners' Office shall, in codifying the  
509 provisions of this section, make technical, grammatical and  
510 punctuation changes as necessary to carry out the purposes of this  
511 section.

512 Sec. 23. Subsection (l) of section 1-79 of the general statutes is  
513 repealed and the following is substituted in lieu thereof (*Effective July*  
514 *1, 2004*):

515 (l) "Quasi-public agency" means the Connecticut Development  
516 Authority, Connecticut Innovations, Incorporated, Connecticut Health  
517 and Education Facilities Authority, Connecticut Higher Education  
518 Supplemental Loan Authority, Connecticut Housing Finance  
519 Authority, Connecticut Housing Authority, Connecticut Resources  
520 Recovery Authority, Connecticut Hazardous Waste Management  
521 Service, Lower Fairfield County Convention Center Authority [,] and  
522 Capital City Economic Development Authority. [and Connecticut Port  
523 Authority.]

524 Sec. 24. Subdivision (1) of section 1-120 of the general statutes is  
525 repealed and the following is substituted in lieu thereof (*Effective July*  
526 *1, 2004*):

527 (1) "Quasi-public agency" means the Connecticut Development  
528 Authority, Connecticut Innovations, Incorporated, Connecticut Health  
529 and Educational Facilities Authority, Connecticut Higher Education  
530 Supplemental Loan Authority, Connecticut Housing Finance  
531 Authority, Connecticut Housing Authority, Connecticut Resources  
532 Recovery Authority, Connecticut Hazardous Waste Management  
533 Service, [Connecticut Port Authority,] Capital City Economic  
534 Development Authority and Connecticut Lottery Corporation.

535 Sec. 25. Section 1-125 of the general statutes is repealed and the  
536 following is substituted in lieu thereof (*Effective July 1, 2004*):

537 The directors, officers and employees of the Connecticut  
 538 Development Authority, Connecticut Innovations, Incorporated,  
 539 Connecticut Higher Education Supplemental Loan Authority,  
 540 Connecticut Housing Finance Authority, Connecticut Housing  
 541 Authority, Connecticut Resources Recovery Authority, Connecticut  
 542 Health and Educational Facilities Authority, Capital City Economic  
 543 Development Authority [,] and Connecticut Lottery Corporation [and  
 544 Connecticut Port Authority] and any person executing the bonds or  
 545 notes of the agency shall not be liable personally on such bonds or  
 546 notes or be subject to any personal liability or accountability by reason  
 547 of the issuance thereof, nor shall any director or employee of the  
 548 agency be personally liable for damage or injury, not wanton, reckless,  
 549 wilful or malicious, caused in the performance of his or her duties and  
 550 within the scope of his or her employment or appointment as such  
 551 director, officer or employee. The agency shall protect, save harmless  
 552 and indemnify its directors, officers or employees from financial loss  
 553 and expense, including legal fees and costs, if any, arising out of any  
 554 claim, demand, suit or judgment by reason of alleged negligence or  
 555 alleged deprivation of any person's civil rights or any other act or  
 556 omission resulting in damage or injury, if the director, officer or  
 557 employee is found to have been acting in the discharge of his or her  
 558 duties or within the scope of his or her employment and such act or  
 559 omission is found not to have been wanton, reckless, wilful or  
 560 malicious.

561 Sec. 26. (NEW) (*Effective July 1, 2004*) There shall be, within the  
 562 Department of Transportation, a State Maritime Office which shall: (1)  
 563 Be responsible for maritime operations, including the State Pier in New  
 564 London, the Connecticut River ferries and such other operational  
 565 responsibilities as shall be assigned to it; (2) serve as the Governor's  
 566 principal maritime policy advisor; (3) serve as the liaison between the  
 567 state and federal, local and private entities involved in maritime policy  
 568 activities; (4) coordinate the state's maritime policy activities; (5)  
 569 encourage year-round use of water-related industries, (6) work with  
 570 the Department of Economic and Community Development and other

571 state, local and private entities to maximize the economic potential of  
572 Connecticut's ports and other maritime resources; (7) conduct  
573 necessary research and planning activities; (8) assess potential state  
574 investments in ports and other maritime facilities; (9) provide staff  
575 support to the Connecticut Maritime Commission, created in section 23  
576 of this act; and (10) undertake such other responsibilities as may be  
577 assigned to it by the commissioner or the Governor.

578 Sec. 27. (*Effective from passage*) (a) The Commissioner of  
579 Transportation shall, in consultation with the Commissioner of Public  
580 Safety and the Chief Information Officer of the Department of  
581 Information Technology, develop a plan for individuals to receive  
582 notification of significant highway or railway incidents.

583 (b) On or before December 1, 2004, the Commissioner of  
584 Transportation shall report to the joint standing committees of the  
585 General Assembly having cognizance of matters relating to  
586 transportation and public safety its findings and recommendations,  
587 including proposals for legislative and regulatory changes.

588 Sec. 28. Subsection (a) of section 3 of public act 03-4 of the June 30  
589 special session is repealed and the following is substituted in lieu  
590 thereof (*Effective from passage*):

591 (a) The General Assembly approves the principles set forth in  
592 section I of the report specified in subdivision (4) of subsection (a) of  
593 section 13b-57d, as amended, provided no funds from the  
594 Transportation Strategy Board projects account, established under  
595 section 13b-57r, shall be authorized for any transportation project  
596 except those specified in subsection (b) of this section, provided  
597 nothing in this subsection shall preclude any TSB project from being  
598 funded, in whole or in part, by other state or federal funds. Funds  
599 authorized for any TSB project shall be used only for said project. TSB  
600 projects shall be funded from funds authorized for the Transportation  
601 Strategy Board only to the extent [such projects are not funded from  
602 the Infrastructure Improvement Fund] such funding is not provided

603 from other funds in the Special Transportation Fund or the  
604 Infrastructure Improvement Fund created by the senior indenture for  
605 special tax obligation bonds.

606 Sec. 29. Subdivision (16) of subsection (b) of section 13b-61 of the  
607 general statutes, as amended by section 20 of public act 03-4 of the June  
608 30 special session, is repealed and the following is substituted in lieu  
609 thereof (*Effective from passage*):

610 (16) On and after July 1, 2003, [and up to and including June 30,  
611 2036,] all moneys received or collected by the state or any officer  
612 thereof on account of, or derived from, the incremental revenues  
613 generated pursuant to sections 1-1h, as amended, 14-35, as amended,  
614 14-44i, as amended, 14-47, as amended, 14-48b, as amended, 14-49, as  
615 amended, 14-50, as amended, 14-66, as amended, 14-67, as amended,  
616 and 14-381, as amended, and revenues specified in sections 113 and  
617 114 of public act 03-1 of the June 30 special session, as amended by this  
618 act, shall be deposited into the Transportation Strategy Board projects  
619 account, established under section 113 of public act 03-1 of the June 30  
620 special session, of the [Infrastructure Improvement] Special  
621 Transportation Fund and shall be used to support the funding of the  
622 projects and purposes described in section 3 of [this act] public act 03-4  
623 of the June 30 special session, as amended by this act.

624 Sec. 30. Subsection (a) of section 13b-69 of the general statutes is  
625 repealed and the following is substituted in lieu thereof (*Effective from*  
626 *passage*):

627 (a) The Treasurer shall apply the resources in the Special  
628 Transportation Fund, upon their receipt, first, to pay or provide for the  
629 payment of debt service requirements, as defined in section 13b-75, at  
630 such time or times, in such amount or amounts and in such manner, as  
631 provided by the proceedings authorizing the issuance of special tax  
632 obligation bonds pursuant to sections 13b-74 to 13b-77, inclusive, as  
633 amended, and then to pay from the Transportation Strategy Board  
634 projects account of the Special Transportation Fund, established under

635 section 113 of public act 03-1 of the June 30 special session, the  
636 incremental revenues identified in approved annual financing plans  
637 for cash funding in accordance with the provisions of section 17 of  
638 public act 03-4 of the June 30 special session, as amended by this act.

639 Sec. 31. Section 114 of public act 03-1 of the June 30 special session is  
640 repealed and the following is substituted in lieu thereof (*Effective from*  
641 *passage*):

642 (a) Notwithstanding any provision of the general statutes, for the  
643 fiscal year ending June 30, 2004, the sum of \$10,000,000 [shall be  
644 transferred from the resources of] on deposit in the Special  
645 Transportation Fund [and] shall be credited to [the resources of] the  
646 Transportation Strategy Board projects account established under  
647 section 113 of [this act] public act 03-1 of the June 30 special session.

648 (b) Notwithstanding any provision of the general statutes, for the  
649 fiscal year ending June 30, 2005, the sum of \$5,000,000 [shall be  
650 transferred from the resources of] on deposit in the Special  
651 Transportation Fund [and] shall be credited to [the resources of] the  
652 Transportation Strategy Board projects account established under  
653 section 113 of [this act] public act 03-1 of the June 30 special session.

654 (c) Notwithstanding any provision of the general statutes, on July 1,  
655 2005, the sum of \$5,000,000 [shall be transferred from the resources of]  
656 on deposit in the Special Transportation Fund [and] shall be credited  
657 to [the resources of] the Transportation Strategy Board projects account  
658 established under section 113 of [this act] public act 03-1 of the June 30  
659 special session.

660 Sec. 32. (*Effective from passage*) The planned extension of the Route 72  
661 current terminus in Plainville to Route 229 in Bristol shall be  
662 designated the "E. Bartlett Barnes Highway".

663 Sec. 33. Section 1 of public act 03-96 is repealed and the following is  
664 substituted in lieu thereof (*Effective October 1, 2004*):

665 Notwithstanding section 14-270, the Commissioner of  
666 Transportation shall establish a program for the purpose of issuing  
667 permits allowing the following vehicles to be operated upon any  
668 highway or bridge: (1) A mobile home with [a] an overall width,  
669 including roof overhang, sills, doorknobs and siding, greater than  
670 fourteen feet but no greater than sixteen feet; [(2) a mobile home  
671 attached to a towing vehicle which has a combined length of one  
672 hundred feet or less if such towing vehicle has a length over eighty  
673 feet; or (3) a mobile home attached to a towing vehicle which has a  
674 combined length of one hundred four feet if such towing vehicle has a  
675 length of eighty feet or less] (2) the maximum length of the mobile  
676 home excluding the hitch shall not exceed eighty feet; or (3) the overall  
677 combined length of the mobile home, when attached to the towing  
678 vehicle, shall not exceed one hundred four feet. Such permit shall  
679 specify conditions under which such mobile home shall be permitted  
680 to operate, including, but not limited to, the period of time such  
681 operation shall be authorized. No permit shall be issued to a mobile  
682 home for a permitted height in excess of thirteen feet six inches or for  
683 the gross weight limits specified in section 14-267a, as amended. For  
684 the purposes of this section, "mobile home" shall have the same  
685 meaning as in section 21-64a. The Commissioner of Transportation  
686 shall adopt regulations, in accordance with the provisions of chapter  
687 54, to implement the provisions of this section.

688 Sec. 34. Section 13a-126c of the general statutes is repealed and the  
689 following is substituted in lieu thereof (*Effective from passage*):

690 Notwithstanding any provision of the general statutes, [to the  
691 contrary,] the Commissioner of Transportation may enter into an  
692 agreement with the owner or operator of a public service facility, as  
693 such facility is defined in section 13a-126, as amended, desiring the  
694 longitudinal use of the right-of-way of a [limited access] state highway  
695 to accommodate trunkline or transmission type utility facilities and to  
696 fix the terms, conditions and rates and charges for use of such right-of-  
697 way; provided, no such agreement shall exempt a public service  
698 facility from the provisions of chapter 277a.

699 Sec. 35. (Effective July 1, 2004) Sections 32-425 to 32-434, inclusive, of  
 700 the general statutes are repealed.

This act shall take effect as follows:	
Section 1	<i>July 1, 2004</i>
Sec. 2	<i>from passage</i>
Sec. 3	<i>from passage</i>
Sec. 4	<i>from passage</i>
Sec. 5	<i>from passage</i>
Sec. 6	<i>from passage</i>
Sec. 7	<i>from passage</i>
Sec. 8	<i>October 1, 2004</i>
Sec. 9	<i>October 1, 2004</i>
Sec. 10	<i>from passage</i>
Sec. 11	<i>from passage</i>
Sec. 12	<i>from passage</i>
Sec. 13	<i>from passage</i>
Sec. 14	<i>from passage</i>
Sec. 15	<i>from passage</i>
Sec. 16	<i>from passage</i>
Sec. 17	<i>from passage</i>
Sec. 18	<i>from passage</i>
Sec. 19	<i>from passage</i>
Sec. 20	<i>from passage</i>
Sec. 21	<i>from passage</i>
Sec. 22	<i>July 1, 2004</i>
Sec. 23	<i>July 1, 2004</i>
Sec. 24	<i>July 1, 2004</i>
Sec. 25	<i>July 1, 2004</i>
Sec. 26	<i>July 1, 2004</i>
Sec. 27	<i>from passage</i>
Sec. 28	<i>from passage</i>
Sec. 29	<i>from passage</i>
Sec. 30	<i>from passage</i>
Sec. 31	<i>from passage</i>
Sec. 32	<i>from passage</i>
Sec. 33	<i>October 1, 2004</i>
Sec. 34	<i>from passage</i>
Sec. 35	<i>July 1, 2004</i>



<b>TRA</b>	<i>Joint Favorable Subst. C/R</i>	FIN
<b>FIN</b>	<i>Joint Favorable Subst.</i>	